

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

* * * * *

In the Matter of:

FERN LAKE COMPANY)
) CASE NO. 7982

O R D E R

On July 11, 1985, the Franklin Circuit Court remanded this case to the Commission with directions to make an official determination on Fern Lake's Motion to withdraw application filed with the Commission November 11, 1983. In that Motion, Fern Lake stated that the reason for its request to withdraw the application was "to avoid further litigation with respect to its wholesale rate." On November 8, 1983, the Franklin Circuit Court had issued an order in Fern Lake Company v. Volz, C.A. Nos. 81-CI-1609 and 81-CI-1318. The Commission took an appeal from the Franklin Circuit Court decision on December 7, 1983.

The Commission having considered the Motion, and being advised, ORDERS that the Motion be and it hereby is denied.

Done at Frankfort, Kentucky this 27th day of November, 1985.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:

Secretary